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## FACSIMILE TRANSMITTAL

## TO:

Name: Mail Stop RCE  
Group Art Unit 3738  
Examiner David H. Willse

Firm: U.S. Patent &amp; Trademark Office

Fax No.: 571-273-8300

Subject: U.S. Patent Application No. 10/674,971  
Gary K. Michelson

Filed: September 30, 2003

METHOD FOR INSERTING AN INTERBODY  
SPINAL FUSION IMPLANT HAVING AN  
ANATOMICALLY CONFORMED TRAILING END

Attorney Docket No. 101.0059-02000

Customer No. 22882

Confirmation No.: 4939

## FROM:

Name: Amedeo F. Ferraro, Esq.

Phone No.: 310-286-9800

No. of Pages (including this): 21

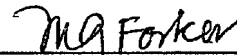
Date: August 9, 2007

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## Message:

## CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8

I hereby certify that the attached Transmittal Form (in duplicate; the total amount of \$1,810.00 to cover the \$1,020.00 fee for a three (3)-month extension of time and \$790.00 fee for a Request for Continued Examination (RCE) is to be charged to Deposit Account No. 50-3726), the Request for Continued Examination (RCE) (in duplicate), Amendment, and Information Disclosure Statement Under 37 C.F.R. § 1.97(b) with Form PTO/SB/08 are being facsimile transmitted to the U.S. Patent and Trademark Office on August 9, 2007.



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FORM PTO-1083

Attorney Docket No.: 101.0059-02000  
Customer No. 22882

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Gary K. Michelson

Serial No: 10/674,971

Filed: September 30, 2003

For: METHOD FOR INSERTING AN INTERBODY  
SPINAL FUSION IMPLANT HAVING AN  
ANATOMICALLY CONFORMED TRAILING END

Confirmation No.: 4939

Art Unit: 3738

Examiner: David H. Willse

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Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith is a Request for Continued Examination (RCE) and an Amendment in reply to the Office Action dated February 20, 2007 in the above-identified application.

- ☐ No additional fee is required.
- ☒ Applicant hereby requests a three (3)-month extension of time to respond to the above office action.
- ☒ Information Disclosure Statement Under 37 C.F.R. § 1.97(b) and Form PTO/SB/08 are enclosed.

The fee has been calculated as shown below:

	(Col. 1) CLAIMS REMAINING AFTER AMENDMENT		(Col. 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Col. 3) PRESENT EXTRA*	LG/SM \$ ENTITY FEE		ADD'L FEE DUE
TOTAL CLAIMS FEE	29	-	49 **	0	LG=\$60 SM=\$25	\$50	\$ 0
INDEPENDENT CLAIMS FEE	2	-	4 ***	0	LG=\$200 SM=\$100	\$200	\$ 0
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIMS					LARGE ENTITY FEE = \$380 SMALL ENTITY FEE = \$180		\$ 0
TOTAL							\$ 0

\* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.

\*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space. The "Highest Number Previously Paid For" (Total or Independent) is the highest number found from the equivalent box on Col. 1 of a prior amendment or the number of claims originally filed.

- ☒ The total amount of \$1,810.00 to cover the \$1,020.00 fee for a three (3)-month extension of time and \$790.00 fee for a Request for Continued Examination (RCE) is to be charged to Deposit Account No. 50-3726.
- ☒ The Commissioner is hereby authorized to charge any deficiencies of fees associated with this communication or credit any overpayment to Deposit Account No. 50-3726. A copy of this sheet is enclosed.
- ☒ Any filing fees under 37 C.F.R. § 1.16 for the presentation of extra claims
- ☒ Any patent application processing fees under 37 C.F.R. § 1.17

Respectfully submitted,  
MARTIN & FERRARO, LLP

Date: August 9, 2007

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